

Application No. 10/733,686
Paper dated May 7, 2009
Attorney Docket No. ENZ-64(D2) (15795-083972)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE


Application No. : 10/733,686 Confirmation No. : 9035
Applicants : Yaron Ilan et al.
Filed : December 10, 2003
Title : **Regulation of Immune Responses by Manipulation of
Intermediary Metabolite Levels**
Group Art Unit : 1648
Examiner : Emily M Le
Customer No. : 28289

MAIL STOP: PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION UNDER 37 C.F.R. § 1.137(b) TO REVIVE AN UNINTENTIONALLY
ABANDONED APPLICATION**

Dear Sirs:

Applicants hereby submit this Petition to Revive U.S. Patent Application No. 10/733,686 (hereinafter referred to as "the '686 application") in which the filing of a response by Applicants to an outstanding Office Action was unintentionally delayed.

I hereby certify that this correspondence is being electronically submitted to the United States Patent and Trademark Office on May 7, 2009.	
05/07/2009	
Date	Signature
Sharon L. Haney	
Typed Name of Person Signing Certificate	

REMARKS

A final Office Action issued in connection with the '686 application on June 24, 2008. A response was due on December 24, 2008, with the maximum allowable extensions of time obtainable under 37 C.F.R. §1.136. A response to the Office Action, accompanied by a petition for a three month extension of time and appropriate fee, was submitted on December 17, 2008. However, due to an unintentional oversight, Applicants did not submit a Request for Continued Examination with the response. The application was abandoned on December 26, 2008, which was the first business day after the date on which the period for a response expired. A Notice of Abandonment was mailed to Applicants' formal counsel on January 30, 2009

STATEMENT

Applicants respectfully submit that the entire delay in filing the required documents to prevent the abandonment of the application due to the passing of the statutory six-month period until the filing of this grantable Petition under 37 C.F.R. § 1.137(b) was unintentional and request the revival of the application for unintentional abandonment. Concurrently with this Petition, Applicants submit:

- (1) an copy of the Amendment in Response to the Office Action dated December 17, 2008;
- (2) a Request for Continued Examination ("RCE"); and
- (3) a credit card payment the amount of \$2430 for the government fee for this Petition (\$1620), and the RCE (\$810).

REQUEST FOR CONTINUED EXAMINATION

Pursuant to 37 C.F.R. §1.114, Applicants request that the Examiner consider the Amendment dated December 17, 2008 as a submission with respect to the filing of the concurrently submitted RCE together with the government fee of \$810 in accordance with 37 C.F.R. §1.17(e).

CONCLUSION

Applicants respectfully request that this Petition be granted for unintentional abandonment and that thereafter, prosecution of the application continue based upon the amendments and arguments set forth in the concurrently submitted Amendment.

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A credit card payment in the amount of \$2,430 is submitted for the government fees associated with the Petition to Revive and the RCE. If any further fees are necessary, the Commissioner for Patents is hereby authorized to charge any additional fees to Deposit Account No. 23-0650. Similarly, Applicants respectfully request any overpayment to be credited to the aforementioned deposit account. A favorable decision is respectfully requested.

Respectfully submitted,

THE WEBB LAW FIRM

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